



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/605,264	09/18/2003	Kazuhiro Takeda	SIC-03-034	2263

29863 7590 04/20/2006

DELAND LAW OFFICE  
P.O. BOX 69  
KLAMATH RIVER, CA 96050-0069

EXAMINER
----------

LUU, MATTHEW

ART UNIT	PAPER NUMBER
----------	--------------

3663

DATE MAILED: 04/20/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/605,264	TAKEDA, KAZUHIRO	
	<b>Examiner</b>	<b>Art Unit</b>	
	LUU MATTHEW	3663	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on March 6, 2006.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-33 is/are pending in the application.
- 4a) Of the above claim(s) 16-33 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-15 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 18 September 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                        | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)               | Paper No(s)/Mail Date. _____  |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>9/15/04; 6/1/04; 9/15/04; 5/17/05</u>                                     | 6) <input type="checkbox"/> Other: _____                                    |

## **DETAILED ACTION**

### ***Election Without Traverse***

Applicant's election without traverse of Group I, claims 1-15 in the reply filed on March 6, 2006 is acknowledged.

Claims 16-33 are withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to a nonelected inventions.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hickman et al (US 2005/0233861) in view of Shea (6,171,218).

Regarding claim 1, Hickman discloses (Fig. 10) a bicycle user information apparatus comprising:

an information receiver (Internet access apparatus 196, the Internet 214, server system 76' and remote system 66') that receives information corresponding to the bicycle user (Fig. 13, bicycle user 274A) through the Internet (252) (Sections 99-101 and 110); and

an administration control unit (Fig. 13, Internet 252, fixed local server 266, mobile local sever 272, remote server 258 and trainer machines 262A-262N) that manages the

information received through the information receiver and enables external access to the managed information in response to predetermine criteria (a trainer can externally access to the bicycle user information through out-of-band communication such as cellular phone in response to predetermined criteria such as a high-speed data connection criteria (Figs. 13 and 33; and sections 114-116 and 162);

wherein the administration control unit (Fig. 13, Internet 252, fixed local server 266, mobile local sever 272, remote server 258 and trainer machines 262A-262N) comprises a user registration unit (Fig. 14, user ID 294) that registers identifying information corresponding to the bicycle user (Sections 122-123).

Hickman fails to explicitly disclose an information receiver in his bicycle user information apparatus (i.e., Internet servers systems).

However, Shea discloses (Fig. 3) a bicycle user information apparatus comprises a central office (102) (a server) and a plurality of bicycle devices (104). The central office or server (102) includes a receiver (114). The central office or server (102) also communicates to the bicycle devices (104) through a communication link (106) that may a telephone network, a satellite system, or an optical fiber (Column 4, lines 14-16 and lines 27-34).

Therefore, it would have been obvious to a person of ordinary skill in the art to use the receiver (114) and the transmitter (112) of Shea into the Internet network/server systems of Hickman since this is well known in the art (Hickman, sections 15-16).

Regarding claim 2, Hickman further discloses wherein the server system receives information from a cycle computer (Section 114, "a display on a bicycle computer").

Regarding claim 3, Hickman discloses (Fig. 11) wherein the server system receives information from a personal computer (Section 105).

Regarding claim 4, Hickman discloses wherein the managed information comprises at least one of geographical information and cycling condition information (Section 157).

Regarding claim 5, Hickman further teaches that the bicycle user can compete in the "Tour de France". Therefore, it would have been obvious to rank the cyclists as in the "Tour de France" ranking system.

Regarding claim 6, Hickman discloses the server system processes information corresponding to a current location of a bicycle user (Sections 114; GPS sensor and current location).

Regarding claim 7, since Hickman teaches the Internet network/server system, it would have been obvious that the users or trainers can communicate through email system.

Regarding claims 8 and 9, Hickman discloses (Fig. 33) the trainer provides a training plan (612 and 616) based on rider history data (602-606) (Section 162).

Regarding claim 10, since Hickman teaches the Internet network/server system, it would have been obvious that the users or trainers can delivery information back and forth (Sections 15-16 and 97-98).

Regarding claim 11, note the rejection as set forth above with respect to claim 10. Hickman further discloses the server systems processes information corresponding to a current location of a bicycle user (Sections 114; GPS sensor and current location).

Regarding claim 12, since Hickman teaches the Internet network/server systems, it would have been obvious that the users or trainers can delivery information back and forth (Sections 15-16 and 97-98).

Regarding claim 13, Hickman further discloses the server systems processes information corresponding to a current location of a bicycle user (Sections 114; GPS sensor and current location). Furthermore, it is well known in the art that the GPS can detect and provide a current location of a vehicle.

Art Unit: 3663

Regarding claims 14 and 15, Hickman discloses wherein the managed information comprises at least one of geographical information through the Internet (Sections 157 and 159).

### ***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

-Drury et al (US 2004/0104842) disclose (Fig. 22) a server system for vehicles comprises a navigation system (2250), communication system (2260) and an E-Mail system (2262).

-Kudo et al (US 2004/0128066) disclose (Fig. 1) a network/sever system (Sections 62, 63, 112 and 113).

-Machida et al (US 2001/0027375) disclose geographic output system for bicycle (Sections 7, 29, 32, 33 and 41).

-Yu et al (US 2003/0125846) disclose systems for distributing information to an operator of vehicle such as bicycle (Section 28).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to LUU MATTHEW whose telephone number is (571) 272-7663. The examiner can normally be reached on Flexible Schedule.

Art Unit: 3663

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, JACK KEITH can be reached on (571) 272-7663. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

M. Luu



**MATTHEW LUU**  
**PRIMARY EXAMINER**